

School Food Service 102

or

“Where does it say that?”

“Controlling Legal Authorities”

- **Statutes**
- **Regulations**
- **FNS Instructions/Policy Memos**

Statutes

- **Agricultural Adjustment Act-1935**
- **National School Lunch Act-1946**
- **Child Nutrition Act-1966**

Agricultural Adjustment Act of 1935

- Section 32 - diverted 30% of gross customs receipts to be used to reduce surpluses and encourage domestic consumption.
- From 1936 to 1944, commodities purchased and donated to schools under this section were the mainstay of school nutrition programs.

Agricultural Adjustment Act of 1935

- For fiscal year '02, the Section 32 transfer funds amounted to approximately 1/2 of the total cost of the child nutrition programs.

National School Lunch Act of 1946

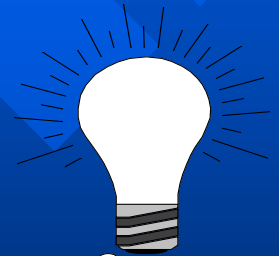
- **National School Lunch Program**
- **Summer Food Service Program**
- **Commodity Distribution Program**
- **Child and Adult Care Food Program**

National School Lunch Act of 1946

- Section 2 - also known as the preamble - is critical because it expresses the sense of Congress that the establishment and maintenance of school lunch programs are “a measure of national security” meant to “safeguard the health...of the Nation’s children,” not welfare programs intended only for the poor.

National School Lunch Act of 1946

- Section 4 - original funding section
- Per lunch reimbursement rate - for SY '07-08: \$.23 for “paid” lunch
- “Safety Net” Lunch - \$.02 additional per lunch



National School Act of 1946

- Section 6 - Commodity Assistance - per plate value of commodities - adjustments
- Section 7 - State Revenue Matching - formula - adjustments
- Section 8 - SEA/SFA agreements - maximum/advance payments

National School Lunch Act of 1946

- Section 9 - contains provisions on:
- fluid milk
- determining eligibility for meals
- confidentiality of eligibility status
- free/reduced price policy statements
- meal pattern requirements - DGAs/any reasonable approach/nutrient analysis

National School Lunch Act of 1946

- Section 11 - contains provisions on:
 - reimbursement for free/reduced meals
 - Provision 1
 - Provision 2
 - Provision 3
- Section 12 - deals with reporting, definitions, claim periods and waivers

National School Lunch Act of 1946

- Section 13 - contains the provisions that authorize the Summer Food Service Program for Children.
- Section 14 - contains provisions that deal with the Commodity Distribution Program.
- Section 16 - deals with receiving cash in lieu of commodities.

National School Lunch Act of 1946

- Section 17 - contains the provisions that authorize the Child and Adult Care Food Program.
- Sections 17B and 18 - deal with some pilot projects.

National School Lunch Act of 1946

- Section 20 - DOD overseas schools
- Section 21 - authorization for the NFSMI
- Section 22 - CRE
- Section 25 - Debarment
- Section 26 - Information Clearinghouse
- Section 27 - Guidance on dealing with children with special needs

Child Nutrition Act of 1966

- Special Milk Program
- School Breakfast Program
- WIC Program
- NET Program

Child Nutrition Act of 1966

- Section 2 - the preamble – again, crucial because of what it says about the policy of Congress:

“In recognition of the demonstrated relationship between food and good nutrition and the capacity of children to develop and learn, based on the years of cumulative experience under the national school lunch program...it is...the policy of Congress that these efforts shall be extended...as a measure to safeguard... the Nation’s children...”

Child Nutrition Act of 1966

- Section 3 - contains the authorization for the Special Milk Program - limited to schools where students do not have access to breakfast or lunch programs.

Child Nutrition Act of 1966

- Section 4 - authorization for the School Breakfast Program - provisions dealing with:
 - severe need reimbursement
 - offer vs. serve
 - maximum prices for reduced price breakfasts

Child Nutrition Act of 1966

- Section 7 - authorization for State Administrative Expenses - the formula for determining how much a state receives - minimum grant amount - carryover provisions - uses of funds - requirement for SAE plans

Child Nutrition Act of 1966

- Section 17 - authorization for the Special Supplemental Nutrition Program for Women, Infants and Children (WIC) Program
- Section 19 - authorization for the Nutrition Education and Training (NET) Program

Regulations

All program regs are in Chapter 7 of the Code of Federal Regulations:

- 7 CFR 210 - School Lunch Program
- 210.10 - Meal pattern/menu planning
- 210.11 - Competitive foods
- 210.12 - Student/parent involvement
- 210.14 - Use of SFS revenues
- 210.18 - CRE reviews

Regulations

- 7 CFR 215 - Special Milk Program
- 7 CFR 220 - School Breakfast Program
- 220.8/220.8a - Meal pattern/menu planning
- 220.12 - Competitive foods
- 7 CFR 225 - Summer Program
- 7 CFR 226 - CACFP
- 7 CFR 227 - NET Program

Regulations

- 7 CFR 235 - SAE
- 7 CFR 240 - CLOC
- 7 CFR 245 - Eligibility for f/r Meals
- 245.9 - Provisions 1, 2 and 3
- 7 CFR 250 - Food Distribution Program

FNS Instructions

- 765-5 Eligibility of Foster Children
- 765-7 Lost/Stolen Meal Tickets
- 776-7 Eligibility of Schools
- 782-5 Pricing Adult Meals
- 783-1, rev 2 Grains/Bread requirements
- 783-2 Meal Substitutions
- 791-1 Denying Meals as Discipline

Policy Memoranda

- 97-29 Foreign exchange students
- 97-28 Severe need breakfast rates
- 97-22 Categorical eligibility/TANF
- 97-11 Grains/bread requirement

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